Message

From: Kazempoor, Kelly [kazempoor.kelly@epa.gov]
Sent: 6/4/2019 8:20:53 PM
To: OCSPP Daily Clips [OCSPP-Daily-Clips@epa.gov]
Subject: OCSPP Daily Clips 6/4/19

https://thehill.com/policy/energy-environment/overnights/446735-overnight-energy-epa-head-blames-media-for-not-promoting

https://www.cnn.com/2019/06/03/health/pfas-food-supply-fda/index.html

https://chemicalwatch.com/78349/feature-chemours-nov-indicates-epa-may-be-expanding-tsca-enforcement

https://www.chicagotribune.com/suburbs/lake-county-news-sun/news/ct-ins-silicone-plant-sued-poliution-st-0604-story.html

https://abcnews.go.com/Politics/fda-tests-highlight-rising-concerns-potentially-harmful-chemicals/story?id=63477891

https://www.theguardian.com/us-news/2019/jun/03/chemicals-seafood-meat-chocolate-cake-pfas-fda-report

https://wsbt.com/news/spotlight-on-america/former-toxic-superfund-sites-are-often-repurposed-for-recreational-sites

https://www.environmentalleader.com/2019/06/while-epa-fails-to-regulate-toxic-chemicals-the-industry-fills-the-void/

https://news.bloombergenvironment.com/environment-and-energy/coal-processing-chemical-may-harm-fetuses-federal-study-finds

http://www.fox5ny.com/news/fda-forever-chemicals-in-food-samples-unlikely-health-risk

The Hill
Overnight Energy: EPA head accuses media of not reporting agency's achievements | Leaked FDA study finds cancer-linked chemicals in food supply | Wheeler calls Flint water 'safe to drink'
https://thehill.com/policy/energy-environment/overnights/446735-overnight-energy-epa-head-blames-media-for-not-promoting
By Miranda Green

WHEELER BLASTS MEDIA OVER EPA COVERAGE: Environmental Protection Agency (EPA) head Andrew Wheeler accused the media Monday of misleading the public by not highlighting the agency's important environmental achievements. "The media does a disservice to the American public and sound policy making by not informing the progress we've made," Wheeler said Monday at a luncheon at the National Press Club.
Directing his comments specifically to the reporters present, Wheeler a former energy lobbyist who has overseen various regulatory rollbacks at EPA, said it was the responsibility of the press to change the public perception that energy and environment issues were getting worse, not better, across the country.

"Every year since 2001 Gallup has conducted polling on the same question: Do you think the quality of the environment in the country as a whole is getting better or getting worse? Every year since 2001 more people have said, 'Getting worse than getting better.'" Wheeler said. "We need to fix this perception and we need the help of the press. The public needs to know how far we've come as a nation protecting the environment."

Wheeler touts the agency's work: He spoke of the agency's success, since its establishment nearly half a century ago, in lowering particulate matter in the air and reducing CO2 emissions, listing accomplishments achieved under multiple government administrations. The comments came as he defended his own recent decisions, made under President Trump, to lower emissions standards for cars, roll back standards on mercury air pollution, and suggest a standard for perchlorate, a chemical found in rocket fuel, that is 10-50 times higher than scientists suggest.

"Pollution is on the decline," Wheeler said. "We've made tremendous progress since the 1970s, and that needs to be mentioned more often."

Wheeler, who inherited a heavy level of skepticism due to his lobbying ties and the actions of his predecessor, Scott Pruitt, highlighted a list of five things – he said there was only "time" for five – the media routinely gets wrong.

"You may think I ignore our press clippings. But I don't, I read them every day," Wheeler told reporters. "I've noticed five things... that the press consistently gets wrong about this administration and the EPA in particular."

Among them, was criticisms of his lobbying title – he represented more than just the coal industry; comments that a key Obama-era power plant emissions rule was rolled back – "It was never implemented," he said; and the idea that the EPA is at war with its career staff – "We have a long and dedicated history of dedicated career employees," Wheeler said.

Read more on Wheeler's remarks here.

Welcome back Congress! And welcome to Overnight Energy, The Hill's roundup of the latest energy and environment news.

Please send tips and comments to Miranda Green, mgreen@thehill.comand Rebecca Beitsch, rbeitsch@thehill.com.

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CLICK HERE to subscribe to our newsletter.

FDA STUDY FINDS FOOD ITEMS WITH CANCER-CAUSING CHEMICALS:The Food and Drug Administration (FDA) has found that cancer-causing chemicals are showing up in milk, meat, produce and even store-made chocolate cakes sold in the U.S., according to an agency study that has not yet been made public.

Aspects of the study, presented last week at a scientific conference in Helsinki, Finland, found the class of chemicals, abbreviated as PFAS, are present in a number of other food products.

The FDA said it plans to publicly release the findings after details of the study were leaked to The Hill and other U.S. media outlets by environmental groups.

"I'm not sure why they released it there and not in the U.S., but I'm just glad it's out," said Tom Neltner, chemicals policy director with the Environmental Defense Fund, one of the groups that released the information.

The FDA confirmed the contents of the leaked report.

The chemicals in question are used in a staggering number of products, like food packaging. Some states have banned packaging that's made with the chemicals, citing research that shows they can transfer to food items.

The FDA's research showed that water contaminated with PFAS likely ends up in the food supply. Fourteen of 91 samples taken by the agency contained the chemicals, while almost half of all meat and seafood samples tested positive.

PFAS has been found in the water supply near military bases, airports that often use firefighting foam and factories that manufacture products with PFAS.

The study outlined examples of the contamination spreading to food.

Produce for sale at a farmer's market 10 miles from a PFAS production plant was found to have the chemical, and testing from a dairy farm near an Air Force base in New Mexico found that water contamination from the base had reached the cows and the milk they produced.

Read more on the leaked study here.

FLINT BACK IN THE NEWS: Authorities have seized former Michigan Gov. Rick Snyder's (R) phone in their investigation of the Flint water crisis, the Associated Press reported Monday.

The seizure comes after a Flint judge signed off on warrants for data from the state-owned mobile devices of 66 current or former Michigan lawmakers, including Synder, according to documents obtained by the AP through public-records requests.

Solicitor General Fadwa Hammoud and Wayne County Prosecutor Kym Worthy confirmed to the AP that they executed a series of search warrants related to the criminal investigation of Flint's lead-contaminated water but declined to comment further.
One warrant, seeks content from Snyder's cellphone, iPad and computer hard drive, per AP.
The warrants seek data from several members not charged in the probe, including Snyder, former Environmental Quality director Dan Wyant and various people who worked in Snyder's office, including Lt. Gov. Brian Calley.
Under Michigan law, the affidavit that Hammoud submitted to get a judge's signature will not become public for 56 more days. Prosecutors can also seek to suppress it longer. Officials with the offices named in the warrants told the AP that they are complying.
Read more here.

In other Flint news...

WHEELER SAYS FLINT WATER 'SAFE TO DRINK': Environmental Protection Agency (EPA) head Andrew Wheeler on Monday said that the water in Flint, Mich., is safe to drink, years after a lead contamination crisis.
"Right now, Flint, Michigan, is attaining the water quality standards," Wheeler said at the National Press Club.
"We test their water on a regular basis and working with the local city as well as the state," he continued. "We're still providing bottled drinking water to people if they need it, but at this point the water in Flint, Michigan, is safe to drink."
The city gained national attention after its source for drinking water was changed in 2014, resulting in contaminated water with dangerous levels of lead and other toxic chemicals.
The contamination continued for years as local and state officials provided inaccurate information about the safety and issues with city water. Residents and advocates also blamed federal officials, who they said were slow to react once the problem was detected.
Criminal and civil cases have accused state and local officials of being responsible for the crisis. Broader suits against other officials and agencies have also been moving through the courts.
More on Wheeler's remarks here.

ON TAP TUESDAY:
On Tuesday, a panel of the 9th Circuit Court of Appeals will hear the first round of oral arguments in the landmark lawsuit brought by 21 young people challenging the federal government over climate change.
Also on Tuesday, lawmakers on the House Committee on Science, Space, and Technology will hear of the causes of biodiversity loss. The hearing follows a May UN report that found species are facing extinction at higher rates due to climate change.
The Senate Energy and Natural Resources Committee on Tuesday will also hold a hearing to discuss opportunities for the expanded deployment of grid-scale energy storage in the United States.
Also Tuesday, the Senate Environment and Public Works Committee will examine the nomination of Robert Wallace to be assistant secretary of the Interior for fish and wildlife. Wallace, who spent 17 years as manager of government relations for GE Energy, is facing pushback on his nomination from environmentalists.

OUTSIDE THE BELTWAY:
Documents show persistent air quality non-compliance at Tesla factory, The Drive reports.
84 environmental rules on the way out under Trump, The New York Times reports.
How a family hike led to the discovery of 'the Nation's T. rex', The Washington Post reports.
How programs to kill wolves created a bigger problem, The Washington Post reports.
New report suggests 'high likelihood of human civilization coming to an end' in 2050, Vice reports.
Industry opposes pending ban on plastic shopping bags, the Associated Press reports.

CNN
FDA confirms PFAS chemicals are in the US food supply
https://www.cnn.com/2019/06/03/health/pfas-food-supply-fda/index.html
By Nadia Kounang

The US Food and Drug Administration confirmed that PFAS chemicals have made their way into the US food supply. On Monday, the FDA publicly acknowledged the initial findings of the agency's investigation into how the "forever chemicals" have been detected in the foods we eat.

PFAS is a family of nearly 5,000 synthetic chemicals that are extremely persistent in the environment and in our bodies. PFAS is short for perfluoroalky and polyfluoroalkyl substances and includes chemicals known as PFOS, PFOA and GenX, sometimes called forever chemicals. These chemicals all share signature elemental bonds of fluorine and carbon, which are extremely strong and difficult to break down in the environment or in our bodies.

EPA head says clean-water access is 'biggest environmental threat' -- despite regulation rollbacks

These chemicals can easily migrate into the air, dust, food, soil and water and can accumulate in the body. They've been linked to adverse health impacts including liver damage, thyroid disease, decreased fertility, high cholesterol, obesity, hormone suppression and cancer.

In the body, PFAS chemicals primarily settle into the blood, kidney and liver. A study from 2007 by the US Centers for Disease Control and Prevention estimated that PFAS chemicals could be detected in the blood of 98% of the US population.

FDA reveals PFAS findings

PFAS chemicals have been used by various industries because of their ability to repel oil and water. They've been manufactured since the 1940s and can be found in non-stick products, stains, paints, cleaning products, food packaging and firefighting foams.

Health agencies to assess chemical exposure in 8 US communities near military bases

The results of the FDA investigation were initially presented by the agency at the 29th annual European meeting of the Society of Environmental Toxicology and Chemistry in Helsinki last month. Images of the FDA's presentation at the meeting were first obtained by the advocacy group Environmental Defense Fund and published by the Environmental Working Group. The agency confirmed that the images were produced by the FDA.

The findings are now being presented on a newly updated FDA website about PFAS that is to be released this week. The FDA provided CNN with an advance copy of the website text.

"...due to potential health concerns related to these chemicals, the FDA is working to better understand the potential dietary exposure to PFAS" the website will say.

The FDA tested a dairy farm near a US Air Force Base where firefighting foams containing PFAS have been used. According to the FDA, area water samples tested 35 times greater than the current US Environmental Protection Agency health advisory of 70 parts per trillion.

The researchers analyzed 13 samples from the dairy farm, including water, animal feed and five actual milk samples. All 13 samples had detectable levels of PFAS that were of similar chemical structure as what was used in firefighting foams. The FDA said the samples were "determined to be a human health concern and all milk from the farm was discarded."

The FDA noted that even after the cows are no longer exposed to the PFAS contaminated water or feed, the accumulated chemicals can remain in the cow. Just 30 days of eating and drinking contaminated food and water would require 1.5 years for a cow to rid their system of the chemicals.

EPA unveils plan for non-stick chemicals, but it disappoints clean water proponents

The FDA also analyzed produce samples from farms close to a PFAS manufacturing plant. The produce was sold at local farmer's markets. According to the FDA, area water wells are known to be contaminated with the PFAS known as GenX. Of the 20 produce samples tested, 16 were leafy greens such as lettuce, cabbage, kale and collard greens. Among those, 15 showed detectable levels of PFAS. According to the FDA, "samples were determined not likely to be a human health concern."

The agency also tested 91 samples of foods collected as part of the FDA's 2017 Total Diet Study.The study is an ongoing FDA program that monitors about 800 contaminants and nutrients that are in the average US diet. As part of this program, the FDA's Center for Food Safety and Applied Nutrition buys, prepares and analyzes about 280 different foods and beverages from across the country four times a year.

According to the website provided to CNN, 10 of 91 foods tested had detectable levels of PFAS, but at levels not considered to be of human health concern.

Agencies' PFAS response

PFOS and PFOA are the two most-studied PFAS chemicals and have been identified as contaminants of emerging concern by the EPA.
PFOS was voluntarily phased out of production in the United States by 3M, its main manufacturer, starting in 2000. In 2006, PFOA began to be phased out as well. PFOA and PFOS are no longer manufactured or imported in the United States, but similar replacement chemicals like GenX remain.
In April of this year, the EPA announced a new PFAS plan, which included setting a maximum containment level for PFOS and PFOA.
The FDA said it's committed to better understanding the role of PFAS in food. The website notes it established an internal working group this year to evaluate this issue and are working with state partners to establish more local testing laboratories.

Chemical Watch
Feature: Chemours' NOV indicates EPA may be expanding TSCA enforcement
https://chemicalwatch.com/78349/feature-chemours-nov-indicates-epa-may-be-expanding-tsca-enforcement
By Stephen E O'Day

In the realm of US EPA enforcement actions, TSCA is often overshadowed by other statutes such as the Clean Air Act, Clean Water Act, and the Comprehensive Environmental Response, Compensation, and Liability Act.

While it is true that total enforcement numbers under TSCA are dwarfed by enforcement actions under these other environmental statutes, there may be reason to expect an uptick—particularly with regard to per- and polyfluoroalkyl substances (PFASs), which have been the target of recent social and political concern.
The EPA recently cited Chemours, a spin-off from DuPont, for alleged violations of TSCA related to Chemours' manufacture of PFASs, among other chemicals. In the Notice of Violation (NOV) issued to Chemours, the EPA alleges that Chemours failed to submit a Pre-Manufacture Notice (PMN) in violation of TSCA Section 5, failed to comply with a TSCA Significant New Use Rule (Snur) requiring it to submit a Significant New Use Notice (Snun) for GenX compounds (a form of PFAS) to be manufactured in an enclosed process, and failed to submit a Snun for hexafluoropropylene oxide (HFPO), which is manufactured as part of the manufacture of other PFASs.
The NOV also alleges that Chemours failed to control effluent and emissions during the use of GenX as required by a TSCA consent order (EPA, Consent Order and Determinations Supporting Consent Order for PMN Substances P-08-508 and P-08-509 [2009]) and failed to comply with the Chemical Data Reporting (CDR) Rule under TSCA Section 8. The EPA required Chemours to take immediate action to correct the violations, and noted that its investigation remained ongoing.
'Stepping up' enforcement
Although enforcement authority has been available to the EPA under TSCA since 1976, enforcement actions have been infrequent in recent years compared to other environmental statutes.
The Chemours' NOV may be an indication of the EPA's intent to step up enforcement under TSCA, particularly for PFASs. On 14 February, the day after it issued the Chemours' NOV, the EPA published a PFAS Action Planunder which it outlined the steps the agency is taking to address PFASs.

In it, the EPA says one such action is to use legal tools such as TSCA to prevent future PFAS contamination. It notes that more than 1,000 PFASs are included on the TSCA Inventory List, of which approximately half are known to be commercially active within the last decade.
The Action Plan also notes that the EPA is considering public comments received on 2015 proposed Snurs and the new statutory requirements of the Act to issue a supplemental proposed Snur on PFASs, specifically related to the manufacture and import of certain long-chain perfluoroalkyl carboxylate (LCPFAC) chemical substances.

On 25 April, the EPA published a draft set of recommendations for cleaning up groundwater contaminated with PFOA and PFOS for public comment as part of its PFAS Action Plan.

PFAS legislation continues to be a hot topic, with members of Congress having introduced more than 20 bills this session addressing PFASs in some capacity.
These developments may suggest that stepped up enforcement under TSCA is aimed solely at the regulation of PFASs.

'Companies subject to TSCA should pay close attention to TSCA's myriad requirements, and protect themselves and their operations against potential enforcement actions'

Because they also may suggest broader enforcement under TSCA, companies subject to TSCA should pay close attention to TSCA's myriad requirements, and protect themselves and their operations against potential enforcement actions.

The EPA's authority under TSCA

TSCA provides the EPA with the authority to require certain notices, reports, recordkeeping, and testing and to impose restrictions and conditions on the commercial manufacture, import, use, and/or disposal of certain chemical substances and/or mixtures.

TSCA Section 5(a) requires anyone who plans to manufacture or import into the US a new chemical substance for a commercial purpose to notify the EPA before initiating the activity with a PMN.

TSCA Section 5(a) also empowers the EPA to issue a Snur, which will then require the submission of Snun to the EPA at least 90 days before they manufacture, import, or process the chemical substance that is the subject of the Snur. The EPA must then assess any risk that may be associated with the significant new use.

One common outcome of the EPA's review of a PMN or Snun is the issuance of an order under TSCA Section 5(e), which contains conditions for the manufacture, use, and/or processing of the chemical subject to the Snur.

Such orders usually take the form of a Consent Order, consented to by the EPA and the submitter. The CDR Rule, issued under TSCA Section 8, requires manufacturers and importers of certain chemicals in commerce to provide information about the chemicals and their uses to the EPA once every four years, when production volumes meet or exceed 25,000 pounds for a specific reporting year.

The EPA has the authority to enforce TSCA through civil penalties, criminal actions, and/or injunctive relief.

TSCA Section 16(a) authorises the EPA to impose civil penalties of up to $37,500 (£29,700) per violation, per day, after an opportunity for a hearing. Under TSCA Section 16(b), the EPA is authorised to seek criminal penalties of up to $50,000 per day per violation, imprisonment for one year, or both upon any person who knowingly and willingly violates TSCA.

The EPA is also authorised to seek appropriate action in the US district courts to restrain any person from violating TSCA, or compel any action required by TSCA.

TSCA changes

TSCA, originally enacted in 1976, was fundamentally overhauled under the 2016 Lautenberg amendments. Among the notable changes are the following:

- Section 6 replaces the "least burdensome requirement" with a risk-based safety standard and requires a timeline for completion of prioritisation, risk evaluation, and control actions. Expedited action is required for persistent, bioaccumulative, and toxic chemicals (PBTs);
- Section 4 expands the EPA's authority to require testing on the health and environmental effects of TSCA chemicals through an administrative order;
- The new Section 14 requires substantiation of certain Confidential Business Information (CBI) claims; and
- Section 18 leaves in place existing state chemical control laws enacted before 31 August 2003 and other state measures taken before 22 April 2016. It introduces "pause" preemption, whereby new state actions are preempted during the EPA's risk evaluation of a chemical substance, with the preemption ending after 30 months or whenever the EPA completes its risk evaluation and determines that the unreasonable risk posed by the chemical no longer exists. If the EPA determines that a chemical in particular uses does not pose an unreasonable risk, states are preempted from regulating those uses of the chemicals.

Chicago Tribune

State and Lake County file suit to ensure cleanup following Waukegan factory explosion

https://www.chicagotribune.com/suburbs/lake-county-news-sun/news/ct-ins-silicone-plant-sued-pollution-st-0604-story.html

By Frank Abderholden

Lake County and the Illinois Attorney General's Office have filed a lawsuit against AB Specialty Silicones of Waukegan seeking a cleanup and civil penalties after last month's explosion at the plant released chemicals into the environment.

"This explosion was tragic, and my thoughts are with the families who lost loved ones as a result," Attorney General Kwame Raoul said in a statement referring to the four factory workers killed in the May 3 explosion.

"As the community continues to recover from the trauma of this event, I have filed this lawsuit to protect residents and the environment from any chemical contamination," Raoul added.

In the same statement, Lake County State's Attorney Mike Nerheim said his office plans to "work diligently with the Illinois Attorney General's Office, U.S. Environmental Protection Agency and Illinois Environmental Protection Agency to seek remediation of any environmental impacts as a result of the explosion."

Company officials responded to the suit saying they were "surprised and disappointed" by the state and county's actions because they have been cooperating with the cleanup effort.

"(For) nearly a month we have worked in full partnership with all regulatory, state, local and federal agencies on our shared goals of securing the site, protecting the Waukegan community, and ensuring it is safe for our employees to return to work," AB Specialty Silicones officials said in a statement.

The complaint, filed in Lake County Circuit Court, alleges that the fire and explosion at the company, which manufactures silicon derivative products, resulted in an unknown amount of chemicals being released into the air, causing air pollution.

In addition, according to a summary of the complaint, chemicals and water used to fight the fire were allowed to seep into the storm sewers contaminating a wetland and Osprey Lake about a mile away.

Raoul's lawsuit is based on a referral from the Illinois Environmental Protection Agency, and that agency is working with the U.S. Environmental Protection Agency to address any immediate risks to public health and the environment.

"Beyond the immediate devastation caused by this catastrophic explosion, our investigation has identified the release of chemicals impacting the environment and visible impacts to nearby wetlands and Osprey Lake," Illinois EPA Acting Director John J. Kim said in the statement, adding that the legal action is, "an important step to ensure the full extent of contamination is identified and proper remediation is made."

The lawsuit seeks an injunction requiring AB Specialty Silicones to immediately secure the site and ensure that all chemicals remaining inside the damaged manufacturing and storage buildings are removed.

The lawsuit also seeks to require the company to investigate and identify the extent of contamination in all areas that may have been impacted, and to remediate land and water contamination. Additionally, the lawsuit seeks civil penalties, according to the statement from the Attorney General's Office.

In their statement reacting to the lawsuit, AB Specialty Silicones officials detailed ongoing efforts to clean the site at Sunset and Northwestern avenues.

"We have fully cooperated with the Emergency On Scene Coordinator for the United States Environmental Protection Agency and have moved quickly and effectively to follow all of the EPA's recommended measures to protect human health, public safety and the environment," the statement read. "We will continue to do so regardless of the status of the complaint from the Attorney General's Office."

ABC News

FDA tests highlight rising concerns about potentially harmful chemicals in food

https://abcnews.go.com/Politics/fda-tests-highlight-rising-concerns-potentially-harmful-chemicals/story?id=63477891

By Stephanie Ebbs

Government tests have found high levels of potentially harmful chemicals used in nonstick surfaces and firefighting foams in foods that are produced near contaminated sites, according to the U.S. Food and Drug Administration.

The latest research, presented at a conference in Helsinki and circulated among advocacy groups, highlights the growing concerns by the government and American consumers about the substances found in groundwater and soil around the country.

The FDA said the study isn't cause for alarm, but confirmed that food grown near sites contaminated with "PFAS" chemicals, such as airports, military bases and manufacturing facilities, should continue to be monitored because the chemicals can leach into the food through soil or water.

"While FDA testing to date has shown that very few foods contain detectable levels of PFAS, due to potential health concerns related to these chemicals, the FDA is working to better understand the potential dietary exposure to PFAS," the agency said in a statement released Tuesday. PFAS chemicals are often referred to as "forever chemicals" because they last a long time in the environment and research in recent years has raised alarms about the potential health impacts. The government is still working on how to respond to the chemicals that have made their way into drinking water, groundwater, and the blood of most Americans.

There are no specific regulations around the amount of PFAS allowed in food, but current guidelines from the Environmental Protection Agency say amounts above 70 parts per trillion could pose a risk for human health. Research has connected some types of the chemicals to hormone problems, thyroid disease, and some cancers.

The recent FDA study examined dairy and produce, particularly milk and leafy greens, developed near sites known to be contaminated by PFAS and found several cases in which the chemicals were detected. In one case, milk from a dairy farm near Cannon Air Force Base in New Mexico was discarded because the levels of PFAS were so high.

A sample of chocolate cake from a grocery store also found high levels of the chemicals, although the FDA presentation did not identify a potential source of the chemicals. Advocacy groups say it could have come from grease proof paper.

The study results, obtained by the Environmental Defense Fund and the Environmental Working Group, were first reported by the Associated Press.

EPA has announced an action plan to look into stricter regulations on the amount in drinking water and cleanup standards for groundwater. The agency has also pushed for more research on PFAS after reports that the cows near Cannon Air Force Basehad been exposed to the chemicals.

In response, EPA Administrator Andrew Wheeler called for more research on the level of these chemicals in the food supply, according to a memo from last month obtained by ABC News.

The Guardian
'Forever chemicals' found in seafood, meats and chocolate cake, FDA says
https://www.theguardian.com/us-news/2019/jun/03/chemicals-seafood-meat-chocolate-cake-pfas-fda-report
By Oliver Milman

Nearly half the meat and fish tested had double the advisory level for PFAS, chemicals linked to cancer and liver problems

The FDA report found much higher levels in the chocolate cake, the Associated Press reported, with PFAS levels of more than 250 times the federal guidelines. Photograph: Jill Mead/The Guardian

Significant levels of chemicals linked to an array of health problems have been found in seafood, meats and chocolate cake sold in stores to US consumers, the Food and Drug Administration has found.

The levels in nearly half of the meat and fish tested by researchers were at least double the federal advisory level for perfluoroalkyl and polyfluoroalkyl substances, or PFAS, a group of more than 4,700 synthetic chemicalsused for a variety of industrial purposes.

Meanwhile, the FDA report found much higher levels in the chocolate cake, the Associated Press reported, with PFAS levels of more than 250 times the federal guidelines.

PFAS have been in production since the second world war and are most widely used to make non-stick cookware, food packaging, carpets, couches, pizza boxes and firefighting foam. The ubiquity of PFAS means they are found in virtually all Americans' blood, as well as in the drinking water of about 16 million people in the US.

Public health groups have criticized the Trump administration for not acting more quickly to phase out the use of PFAS, with high levels of the chemicals on US military bases causing heightened concern and lawsuits in parts of the country.

Exposure to high levels of PFAS has been linked to cancers, liver problems, low birth weight and other issues.

The compounds have been dubbed "forever chemicals" because they take thousands of years to degrade, and because some accumulate in people's bodies.

A trail of toxicity: the US military bases making people sick

Read more

The Environmental Protection Agency (EPA) earlier established a non-binding health threshold of 70 parts per trillion for two phased-out forms of the contaminant in drinking water.

The EPA has said it would consider setting mandatory limits instead after the toxicology report and after federally mandated PFAS testing of water systems found contamination. The administration has called dealing with PFAS a "potential public relations nightmare" and a "national priority".

"I know there are people who would like us to move faster" on PFAS, the EPA administrator, Andrew Wheeler, said on Monday at the National Press Club. "We are addressing this much faster than the agency has ever done for a chemical like this."

The Associated Press contributed to this report.

Toxic America: Is modern life poisoning us?

Weedkiller in your breakfast cereal. Contaminated drinking water. Carcinogenic chemicals in your furniture.

Americans are routinely exposed to dangerous chemicals that have long been banned in countries such as the UK, Germany and France. Of the 40,000 chemicals used in consumer products in the US, according to the EPA, only one percent have been tested for human safety.

With support from our readers, The Guardian aims to raise $150,000 for a six-month project on how these levels of toxicity are impacting our lives. We will explore the worrying health implications of living in an environment that can expose us to chemical contamination on a daily basis.

Your support will enable us to examine the power of the $640bn chemical industry – which has a lobby that's currently better funded than the NRA – and raise public awareness about its influence. This series will help us all to make sense of the complex science and conflicting messages about what's safe, what's harmful and what remains unknow

News 5 Cleveland

After years of delays, environmental cleanup begins at Clark Field in Tremont

https://www.news5cleveland.com/news/local-news/cleveland-metro/after-years-of-delays-environmental-cleanup-begins-at-clark-field-in-tremont

By Jordan Vandenberge

CLEVELAND — Years after a popular park in Cleveland's Tremont neighborhood was closed due to toxic contaminants being discovered in the soil, environmental remediation is finally underway at Clark Field. The multi-million dollar cleanup effort being undertaken by the United States Environmental Protection Agency involves placing two feet of clean soil on top of the existing soil in the 42-acre park.

In 2016, the City of Cleveland requested the EPA's assistance in remediating the site after environmental assessments determined the soil contained lead, arsenic and other carcinogens. Although the EPA approved the cleanup of the site, the project has been delayed multiple times because funding wasn't available.

The entire project is estimated to cost $5.9 million, according to a US EPA spokesperson.

On Monday, crews using heavy machinery began cleaning up what remains of the park in preparation for placing the clean soil.

"What we're doing is bringing in clean soil to put a barrier between the contaminated soil and what people could come into contact with," said EPA on-scene coordinator Stephen Wolfe. "The contamination goes pretty deep out here."

Wolfe said the process of placing two feet of clean soil on top of the contaminated soil is far more cost-effective than to dig out the contaminated soil and replace it with clean fill. It is estimated that the contaminated soil goes 20 feet deep.

For decades, Clark Field helped to separate Tremont's residential area from the smoke-filled industrial valley. The park featured playgrounds, a football field, baseball diamonds, tennis courts and a dog park. However, once Tremont lost population the park became a breeding ground for unsavory characters, drug use and illegal dumping.

After the turn of the millennium, neighborhoods activists and the Tremont West Development Corp. were able to secure the property and get it under city control. The city has set aside nearly $3 million to renovate the massive greenspace, construct new sports fields, install a new playground and other improvements once the EPA's work is complete.

Because the Towpath Trail bisects Clark Field, the area is also an important part in Tremont's renaissance, said Cory Riordan, the executive director for Tremont West Development Corp.

"Just from a recreational amenity, it's huge," Riordan said. "Whenever we get public investment, we see a lot of private investment directly after it. The towpath trail is a once-in-a-generation type of investment in recreational infrastructure. We are very excited to see that come into fruition and connect that 139 miles right through our neighborhood."

For longtime residents like Chris Bragg, the remediation and renovation of Clark Field serves as another reminder of Tremont's growth.

"[The neighborhood] went up for the better. It was getting abandoned too like [Clark Field]," Bragg said. "But now it's going up. Everyone rides their bikes right down there. It's the main spot. I'm glad to see this happening."

The cleanup project comes at a great time because the EPA was able to take advantage of the ongoing expansion of Metro Hospital nearby. As part of the hospital's expansion, crews had to excavate tens of thousands of cubic feet of clean soil. The EPA was able to secure the clean soil to use as part of the Clark Field remediation, saving the agency and taxpayers as much as $1 million.

A spokesperson for the EPA could not provide a projected completion date for the remediation because it will be impacted by weather and, most importantly, available funding.

WSBT 22

Some of America's most toxic sites have a new purpose as parks for kids

https://wsbt.com/news/spotlight-on-america/former-toxic-superfund-sites-are-often-repurposed-for-recreational-sites

By Joce Sterman and Alex Brauer

WASHINGTON (SBG) — Some areas once considered the most toxic sites in America have gotten a new purpose following years of cleanup. So-called "Superfund sites" across the country are being repurposed for recreational parks and athletic fields for children and families, use environmentalists say it raises red flags.

The dirty secrets that lie beneath these areas are unknown to many families who set up shop on athletic fields each weekend to watch their children play. We found many parents we interviewed at a Pennsylvania Superfund site that had been converted to athletic fields and walking trails had never heard the term "Superfund site" and had no idea what that meant.

But Superfunds has a well-documented history, with more than 1,300 areas nationwide getting that label from the government as a result across of hazardous waste that was dumped or mismanaged, creating a risk to human health and the environment. Environmentalists consider them some of the most contaminated sites in the country, with cleanup taking decades. The effort to remediate these sites can cost huge amounts of money, with a special "Superfund" established following the passage of federal law in 1980. That law is designed to govern how these polluted sites are handled. Despite their toxic pasts, more than 40 Superfund sites have been turned into something surprising: parks, recreation areas and athletic fields.

Here's a map of all the locations with a Superfund site converted into recreational use:

Here's a map of all the locations with a Superfund site converted into recreational use
Travis Yoder, who was watching his daughter play softball on a converted site, said, "I would question whether you would want to turn it into a public facility where people are playing and kids are around."

Grandmother Lori Glatfelter grew up near one of the Superfund sites we visited in Pennsylvania that was once an unlined municipal landfill that contaminated the groundwater. She knew it had served as a dump, but most in the crowd were unaware that the candy cane-shaped towers and spinning fans that lined the baseball field were venting out chemicals. Monitoring wells that pick up potentially contaminated groundwater are also a mystery to many who find

them tucked between the swings and soccer fields at other converted Superfund sites. They're remnants of the lengthy cleanup and continued supervision of this kind of site.

"I believe they've done things properly. I haven't heard anything bad about it," Glatfelter said. "I don't think you'd put a children's park on something that would be harmful. At least you'd hope not."

But Stephen Lester sees this issue differently. He's the Science Director for the Center for Health, Environment and Justice. That organization's work began in the 1970s, with an environmental disaster at Love Canal in New York, which harmed hundreds of people. That disaster paved the way for the creation of the Superfund law. Lester, along with CHEJ, has been raising awareness about the legacy of Superfund sites for decades as a result.

"As long as the chemicals remain in the ground, the risks remain," Lester explained.

Lester said that while repurposing Superfund sites is common practice, using them for recreation raises many questions, "If my kids were going to play on that field I'd want to have a certain comfort level in how much cleanup occurred there. And you have to start asking questions not only about the residual and what's left but what are the barriers between that contamination and the kids playing soccer?"

A Spotlight on America investigation found it depends because there's no national cleanup standard when it comes to Superfund sites. We scoured through hundreds of documents related to converted sites and found striking differences. For instance, a community park near Pittsburgh has an impermeable, multi-layer cap to cover up volatile chemicals left behind by the former industrial waste dump it sits on. But in comparison, a former pharmaceutical plant near Lebanon, Pennsylvania, that was polluted by arsenic still has moderately and lightly contaminated soil under the ground that now holds an athletic complex. Records show that site is covered with a dirt cap only 2 feet deep and documents we uncovered show the Environmental Protection Agency has ordered additional testing at the site to make sure the arsenic doesn't migrate up over time as a result of freezing and thawing

"We do not have national cleanup standards so that a site in New York, or in California or Alabama would get the same level of cleanup because we would have to find what levels are considered safe and what levels are considered a risk, " Lester said. "As much as we know about so many chemicals, we know very little about what levels are actually going to produce adverse events in people, especially when you have mixtures over long periods of time. So there's large uncertainty about this."

But the documents make it seem so black and white, with the EPA labeling these converted sites "protective of human health." Travis Yoder laughed when we told him that, saying, "I don't know really know what that means."

For weeks, we offered EPA officials the opportunity to do an interview about Superfund sites, but no one was made available. They did not respond to specific questions about the sites sent by the Spotlight team. But we know generally, based on the agency's website, the EPA considers Superfund sites protective of human health when the contamination is considered contained, with the threat of human exposure under control. Often EPA records show there are protective rules in place to limit any potential exposure.

But the Government Accountability Office, a federal watchdog agency, found those rules don't always work. In a 2005 report that's still cited on the EPA's superfund website, the GAO found sites where the restrictions, known as institutional controls, were vaguely worded, didn't explain how long they were needed or who was responsible for enforcing and monitoring the rules.

The Spotlight on America team saw that in action, visiting a Superfund site which has restrictions on digging or disturbing soil according to documents related to the cleanup. The only mention of that restriction on-site is located on

a single notice under the rules for disc golf. Lester wasn't surprised, saying, "Who's going to read that, first of all. Who's going to pay attention to that, especially if no one has any sense of any danger or any sense of anything unusual about the particular area or the site. Institutional controls just are not sufficient to provide protection for these sites in the long haul."

And it's the long-term, unknown impact that raises real questions that experts like Lester say can't be answered. It's the reason he says people should know some Superfund sites had a facelift that masks their past.

"There are very few toxic sites that I would have my children play on without knowing anything more than what government tells me," he said.

Environmental Leader

While EPA Fails to Regulate Toxic Chemicals, the Industry Fills the Void

https://www.environmentalleader.com/2019/06/while-epa-fails-to-regulate-toxic-chemicals-the-industry-fills-the-void/

The current EPA Administration has failed to create badly-needed regulations of new chemicals under the Toxic Substance Control Act (TSCA). TSCA is the law that empowered EPA regulators to ban lead paint, remove asbestos from our homes and schools, and ensure that our shared spaces don't contain dangerous levels of radon or mercury. Congress passed a bill to modernize TSCA in 2016 to ensure that regulators have the power to protect Americans against a host of chemicals used in an array of household products from paints and paint strippers to floor stains and varnishes. Yet the EPA remains silent while companies continue to sell products that contain chemicals we know are toxic.

One such chemical is 1-methyl-2-pyrrolidone, commonly known as NMP. It is widely used in paint strippers and wood floor coatings and is the subject of growing concern for health experts around the world. It can cause damage to unborn children and may cause serious eye, skin and respiratory irritation. It is so dangerous that the European Commission has named it a Substance of Very High Concern (SVHC) and has added it to its REACH Annex XVII restricted substances list. In the EU, after May 9, 2020 NMP shall not be in consumer products in mixtures in a concentration equal to or greater than 0.3%.

NMP is also named a priority substance under TSCA, but the EPA has done nothing to regulate its use.

Following an intensive campaign by Mind the Store, several retailers including Lowes, Home Depot and Walmart already pledged to phase out NMP from paint stripper on their shelves. That's a step in the right direction, but we need to make sure that it is removed from *all* the products on *all* store shelves. Manufacturers must be committed to using their scientific and technological capabilities to work with partners throughout the value chain to develop sustainable alternatives to NMP that continue to offer the highest performance to consumers. In fact, many safer alternatives are already on the market and available to consumers and contractors.

Consumers deserve a partner in the US government that is committed to keeping its citizens safe from harmful chemicals. Regulators should not turn their backs to the American people allowing millions of Americans to continue to unknowingly be exposed to harmful chemicals in their homes, offices, schools and office buildings.

By Hugh Welsh, North American President, Royal DSM

DSM, a global life sciences company, has announced that by July 2020, the company will stop using NMP in all resins products, which are used to make paints or wood care products such as floor coatings. This is part of the company's broader proactive product stewardship approach to phase out all chemicals of high concern from finished products by 2025.

Bloomberg Environment

Coal Processing Chemical May Harm Fetuses, Federal Study Finds

https://news.bloombergenvironment.com/environment-and-energy/coal-processing-chemical-may-harm-fetuses-federal-study-finds

Pat Rizzuto

The coal processing chemical that spilled into West Virginia's Elk River in 2014, cutting off drinking water for thousands of local residents, may harm the development of fetuses, according to a newly released federal study on test animals.

Rat pups, which scientists use as surrogates for people, were born deformed when their mothers were exposed to high doses of 4-methylcyclohexanemethanol (MCHM), the National Toxicology Program (NTP) said in a study released June 3.

Companies use the chemical to reduce impurities in mined coal.

By contrast, tris(chloropropyl) phosphate (TCPP)—a flame retardant used in textiles, furniture foam, and other products—did not harm baby rats, according to a separate study conducted by the toxicology program.

Public comment on both studies is invited through July 17 and the research will be critiqued by independent scientists on July 31.

Coal Washing Chemical

The Eastman Chemical Co. was the sole producer of MCHM in 2015, the most recent year for which chemical manufacturers had to provide production data to the Environmental Protection Agency.

The coal processing chemical is identified as Chemical Abstracts Service (CAS) No. 34885-03-5 on business-to-business forms that accompany its sale.

The EPA withheld production volume on the chemical to protect Eastman's confidential business information.

Eastman Chemical told Bloomberg Environment the potential for its chemical to harm rats' fetal development at high doses is known based on previous shorter studies the toxicology program conducted since the Elk River spill.

"The NTP Technical Report confirms that the level for an adverse fetal development effect is many times greater than the estimated human exposure level during the West Virginia spill or during expected exposure when the substance is used as intended in an industrial setting," Eastman spokeswoman Amanda Allman said by email.

State of Emergency

On Jan. 9, 2014, West Virginia's governor declared a state of emergency after a ruptured aboveground storage tank owned by Freedom Industries released about 10,000 gallons of 4-methylcyclohexane methanol into the Elk River, upstream from an intake portal. The water-use prohibition affected nine counties for more than a week.

Concerns that little chemical safety information was publicly available after the 2014 spill prompted Congress to add a special provision in the 2016 Toxic Substances Control Act amendments.

The nation's industrial chemicals law now requires the EPA to consider a chemical's storage near major drinking water supplies as a criteria in selecting that chemical for risk evaluation and possible regulation.

Environmental groups say the spill underscores the need for an EPA Clean Water Act regulation designed to prevent spills from above-ground storage of hazardous chemicals.

The Centers for Disease Control and Prevention, which set a drinking water advisory level of 1 parts per million for the coal washing chemical, asked the toxicology program to study MCHM.

Flame Retardant's Use Increasing
The toxicology program's study of the flame retardant TCPP did not find adverse developmental effects in baby rats.

Chemical manufacturers including the BASF Corp., Huntsman Corp., Koch Industries, Inc., and Lanxess Corp., are among the companies that made or imported TCPP (CAS 13674-84-5) in 2015.

The national aggregate production volume ranged between 50 million and 100 million pounds that year, according to the EPA.

TCPP is seen as a possible replacement for other flame retardants that have been removed from the market due to toxicity concerns.

The increased use, and the possibility for greater human exposure, prompted the Consumer Product Safety Commission to ask the toxicology program to study the flame retardant.

Fox 5 News
FDA: 'Forever chemicals' in food samples unlikely health risk
http://www.fox5ny.com/news/fda-forever-chemicals-in-food-samples-unlikely-health-risk
By Associated Press

WASHINGTON - The Food and Drug Administration's first broad testing of food for a worrisome class of nonstick, stain-resistant industrial compounds found substantial levels in some grocery store meats and seafood and in off-the-shelf chocolate cake, according to unreleased findings FDA researchers presented at a scientific conference in Europe.

The FDA's disclosure is likely to add to concerns raised by states and public health groups that President Donald Trump's administration is not acting fast enough or firmly enough to start regulating the manmade compounds, called "forever chemicals." A federal toxicology report last year cited consistent associations between very high levels of the industrial compounds in peoples' blood and health risks but said there was not enough evidence to prove the compounds as the cause.

CONTINUE READING BELOW

The levels in nearly half of the meat and fish tested were double or more the only currently existing federal advisory level for any kind of the widely used manmade compounds, which are called per- and polyfluoroalykyl substances, or PFAS.

EPA Administrator Andrew Wheeler testifies during a House Appropriations Subcommittee hearing on April 2, 2019 in Washington, DC. He said a challenge of possibly regulating PFAS is the countless varieties of them. (Photo by Mark Wilson/Getty Images)
The level in the chocolate cake was higher: more than 250 times the only federal guidelines, which are for some PFAS in drinking water.

Food and Drug Administration spokeswoman Tara Rabin said Monday that the agency thought the contamination was "not likely to be a human health concern," even though the tests exceeded the sole existing federal PFAS recommendations, for drinking water.

As a handful of PFAS contaminations of food emerge around the country, authorities have deemed some a health concern but not others. The agency considers each discovery of the compound in food case by case, including the kind of food, levels of contamination, frequency of consumption and latest scientific information, Rabin said.

"Measuring PFAS concentrations in food, estimating dietary exposure and determining the associated health effects is an emerging area of science," the FDA said.

PFAS, created by DuPont in 1938 and put into use for tough nonstick cookware, now exists in an estimated 5,000 varieties. Industries use the product to keep grease, water and stains off countless consumer items, including in food packaging, carpets and couches, dental floss and outdoor gear.

The chemicals also are found in firefighting foam, which the Department of Defense calls irreplaceable in suppressing jet-fuel fires. Especially around military bases and PFAS facilities, decades of use have built up levels in water, soil and some treated sewage sludge used to fertilize non-organic food crops and feed for livestock.

They've been a topic of congressional hearings, state legislation and intense federal and state scrutiny over the past two years.

The federal toxicology review last year concluded the compounds are more dangerous than previously thought, saying consistent studies of exposed people "suggest associations" with some kinds of cancers, liver problems, low birth weight and other issues.

Because the tough compounds are predicted to take thousands of years to degrade, and because older versions have been found to accumulate in peoples' bodies, PFAS has acquired the name "forever chemicals."

The Environmental Protection Agency earlier established a nonbinding health advisory threshold of 70 parts per trillion for two-phased out forms of the contaminant in drinking water.

EPA administrator Andrew Wheeler said Monday that one of the challenges of potentially regulating PFAS was the countless varieties of them in existence.

"I know there are people who would like us to move faster," he said in remarks at the National Press Club. "We are addressing this much faster than the agency has ever done for a chemical like this."

The EPA has said it would consider setting mandatory limits instead in the wake of the federal toxicology report and after federally mandated water sampling found high levels in many drinking water systems around the country. The administration has called dealing with PFAS contamination a "potential public relations nightmare" and a "national priority."

Impatient for federal action, several states have moved to regulate the chemicals on their own, including setting standards for groundwater or drinking water.

In the FDA study, conducted in October 2017, researchers oversaw market basket testing for more than a dozen PFAS, drawing on samples of food on sale in three undisclosed mid-Atlantic cities.

FDA researchers discussed the results at the annual conference by the Society of Environmental Toxicology and Chemistry in Helsinki, Finland, last week.

Two environmental groups, the Environmental Defense Fund and the Environmental Working Group, obtained written results and charts from the FDA presentation and provided them to The Associated Press.

PFOS, an older form of PFAS no longer made in the U.S., turned up at levels ranging from 134 parts per trillion to 865 parts per trillion in tilapia, chicken, turkey, beef, cod, salmon, shrimp, lamb, catfish and hot dogs. Prepared chocolate cake tested at 17,640 parts per trillion of a kind of PFAS called PFPeA.

The FDA presentation also included what appeared to be previously unreported findings of PFAS levels — one spiking over 1,000 parts per trillion — in leafy green vegetables grown within 10 miles (16 kilometers) of an unspecified eastern U.S. PFAS plant and sold at a farmer's market.

It also previewed test levels for a previously reported instance of PFAS contamination of the food supply, in the feed and milk at a dairy near an Air Force base in New Mexico.

The FDA said the contamination in that milk was a health concern. It said it would release detailed data on that soon.

The FDA in 2015 and 2016 revoked approval for some older versions of PFAS in food packaging, although it was one of those versions that was found in high levels in its testing of meat and seafood.

In its statement, the FDA noted studies suggesting newer forms may also pose a health risk. It said it was working with other federal agencies to determine appropriate next steps.

"What this calls for is additional research to determine how widespread this contamination is and how high the levels are," Linda Birnbaum, director of the National Institute of Environmental Health Sciences, said separately in an

interview. "We have to look at total human exposure — not just what's in the water or what's in the food ... or not just dust. We need to look at the sum totals of what the exposures are."

Birnbaum added, "Nobody is exposed to just one form of PFAS in isolation. You're exposed to a whole mixture."

It's unclear what human health risks are posed by the presence of PFAS chemicals in foods, said Jamie DeWitt, a toxicologist at East Carolina University in Greenville, North Carolina, who studies PFAS compounds.

The discovery of PFAS contamination in wells and land around a Chemours Co. manufacturing plant near Fayetteville has made North Carolina one of the focuses of study for exposures.

"Drinking one glass of contaminated water is unlikely to be associated with health risks, as is eating one slice of contaminated chocolate cake," DeWitt said. "Individually, each item is unlikely to be a huge problem, but collectively and over a lifetime, that may be a different story."

Sally Brown, a University of Washington researcher who supports the use of treated sewage sludge by agriculture, said the FDA's findings were "not a major concern."

"If you are worried about this type of compound it makes sense to ban the cookware and the dental floss" treated with PFAS, Brown said.

Near Fayetteville, neighbors of the Chemours PFAS facility are making plans for a Fourth of July parade float dedicated to warning others just how widely PFAS was turning up in the area.

The float will feature men fishing in a contaminated pond and vegetables growing in a contaminated garden, said Michael Watters, who lives a mile (1.6 kilometers) from the plant. Watters said he has stopped consuming well water and vegetables from his own land.